

ZB# 02-29

Joseph Corbett

23-1-34

Prelim.

May 13, 2002

Public Hearing:

June 24, 2002.

Approved 6/24/02

Refunded \$216.50

#02-29- Cortett, Joseph

8' fence

23-1-34

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Corbett, Jos.

FILE# 02-29.

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X Teane

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

* * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 5/13/02 \$ 4.50
2ND PRELIMINARY- PER PAGE 5/24/02 \$ 9.00
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 13.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 5/13/02 \$ 35.00
2ND PRELIM. 5/24/02 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 83.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . \$ 216.50

*Paid Ck # 895
5/30/02
Paid Ck # 896*

-----X
In the Matter of the Application of

JOSEPH CORBETT

MEMORANDUM
OF DECISION
GRANTING
VARIANCES

#02-28.
-----X

WHEREAS, JOSEPH CORBETT, 21 Ellison Drive, New Windsor, NY 12553, has made application before the Zoning Board of Appeals for a 10 ft. side and rear yard variance for construction of an 8 ft. fence at the above location, in an R-4 zone; and

WHEREAS, a public hearing was held on the 24th day of June, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The property is so configured so that there is a substantial drop from the site of the house to the aforementioned parking lot. The Applicant

seeks permission to construct a fence which is tall enough to block the headlights from the users of the adjoining commercial parking lot.

(c) The property is so constructed so that shrubs or vegetation cannot be grown which will block the headlights.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant that can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations, but nevertheless are warranted.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variances.

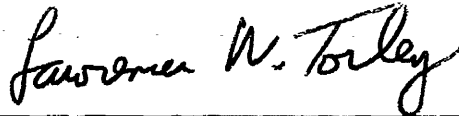
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 10 ft. rear and side yard variance to allow Applicant to construct an 8 ft. fence at the above address, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: September 23, 2002.

A handwritten signature in cursive script, reading "Lawrence W. Torley". The signature is written in dark ink and is positioned above a horizontal line.

Chairman

Date JUL 14 2002

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Joseph Corbett DR.
21 Ellison Drive, New Windsor, N.Y. 12553

DATE	CLAIMED	ALLOWED
7/25/03		
Refund of Crew Deposit		
# 02-29		
	\$ 216.50	
Approved: Patricia A. Conzatti		
ZBA		

Date 7/24/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.

168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
6/24/02	Zoning Board Mtg		75 00	
	Misc. - 2			
	Erden - 5			
	Billik - 2			
	Riley - 2			
	Jankens Contracting - 3			
	Ghnaggs - 4			
	Kochan - 8			
	Colandrea - 3			
	Corbett - 2 \$9.00			
	Traver - 21		234 00	
	52			
			309 00	

CORBETT, JOSEPH

MR. TORLEY: Request for variances of 10 ft. side and rear yards for construction of 8 ft. fence at 21 Ellison Drive in an R-4 zone.

Mr. Joseph Corbett appeared before the board for this proposal.

MR. TORLEY: You're the next door neighbors of the previous application?

MR. CORBETT: Yes.

MR. MC DONALD: Same problem.

MR. TORLEY: Is there anyone in the audience who wishes to speak in this matter? Let the record show there's none. Again, this is an affidavit from Pat Corsetti, on the 31st of May, 2002, she prepared 53 addressed envelopes to be mailed for this matter. Sir, again, you have the same situation as the previous applicant, that a 6 foot fence would not give you sufficient shielding to protect you against headlights, et cetera, absence of such a fence reduces the value of your home?

MR. CORBETT: Yes.

MR. TORLEY: And it would be, it's the slope of the land that makes the additional fence height necessary and you couldn't move it back in the ten feet would be loss of your property?

MR. CORBETT: Yes.

MR. KRIEGER: You're nodding, I assume it's yes, the answers to all those questions is yes?

MR. TORLEY: And again, the alternative landscaping I see by the photograph you'd be in the same situation where the landscaping growth probably would not be successful?

MR. CORBETT: Yes.

MR. TORLEY: This fence also is not going to be built over any easements, water or sewer lines, et cetera?

MR. CORBETT: No.

MR. TORLEY: And again, a fence of this height would not obstruct vision of any driver on their ingress or egress through the main road?

MR. CORBETT: No.

MR. TORLEY: Strictly a parking lot?

MR. CORBETT: Yes.

MR. REIS: Motion?

MR. TORLEY: If no other questions.

MR. REIS: Just a point of reference, there's no fence there now, you're putting up a fence?

MR. CORBETT: Yes.

MR. REIS: Make a motion that we grant Mr. Corbett his requested variance for 21 Ellison Drive.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE



OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 4/17/02

APPLICANT: Joseph Corbett
21 Ellison Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 8ft fence

LOCATED AT: 21 Ellison Drive

ZONE: R-4 Sec/ Blk/ Lot: 23-1-34

DESCRIPTION OF EXISTING SITE: Existing one family

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed 8ft fence at rear property line will exceed maximum permitted height of 6ft.

FILE COPY

#1 ZBA 5-13-02
SET UP FOR P/H


BUILDING INSPECTOR

PERMITTED 6ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-C-1-D

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX FENCE HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

10 FT

0 FT

10 FT

10 FT

0 FT

10 FT

~~8ft~~

~~2ft~~

REVISED 5-31-02
(196)

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

APR 16 2002

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2002-328

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises X LORETTA & JOSEPH CORBETT SR.

Address 21 Ellison Dr. New Windsor Phone # 565 1764

Mailing Address same as above Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor owner

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer. X
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of Edison
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section _____ Block _____ Lot _____

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? _____

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height 8' fence No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee _____

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lal & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

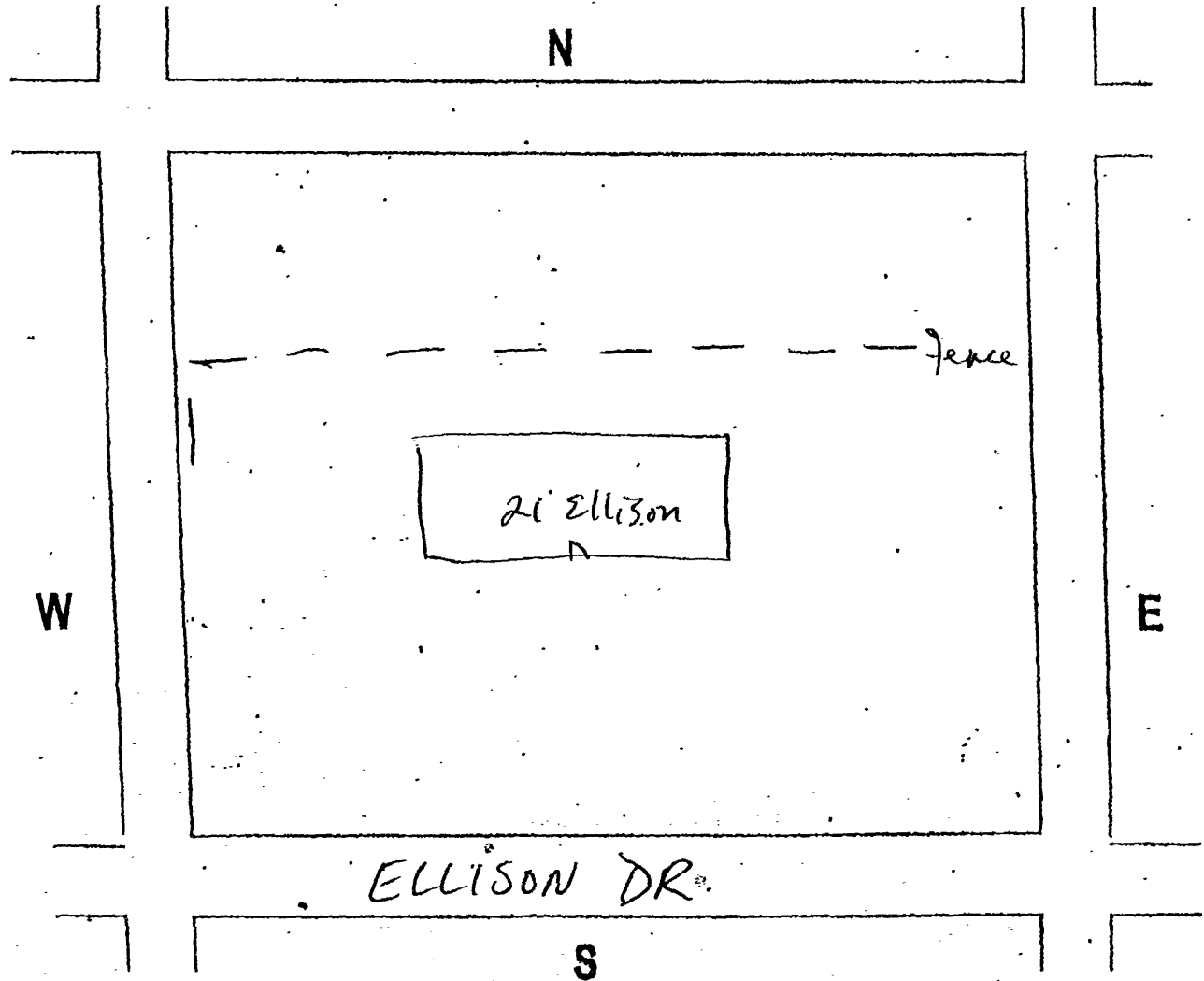
(Signature of Applicant)

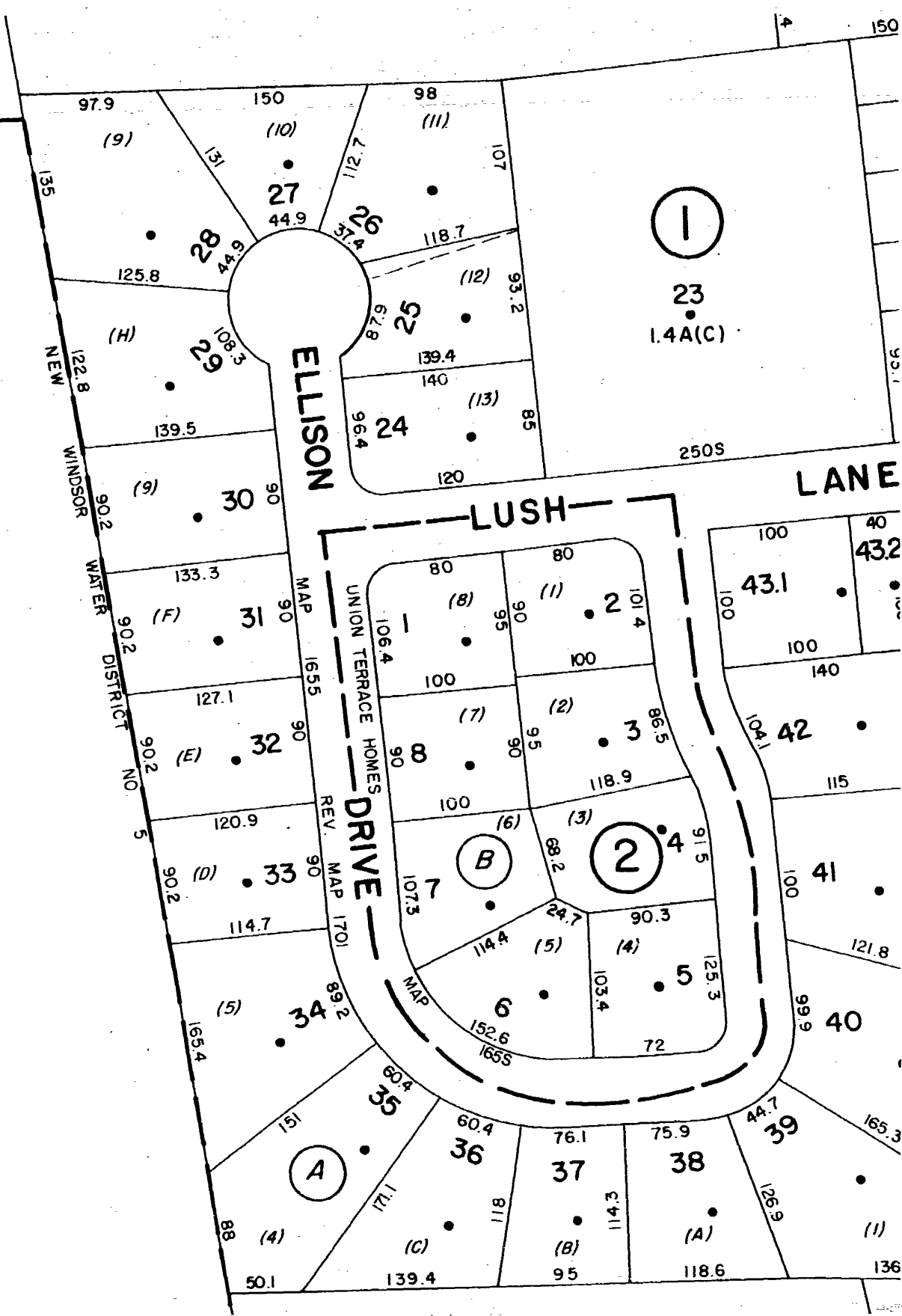
(Address of Applicant)

(Owner's Signature)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





51
1.3A(C)

127.3

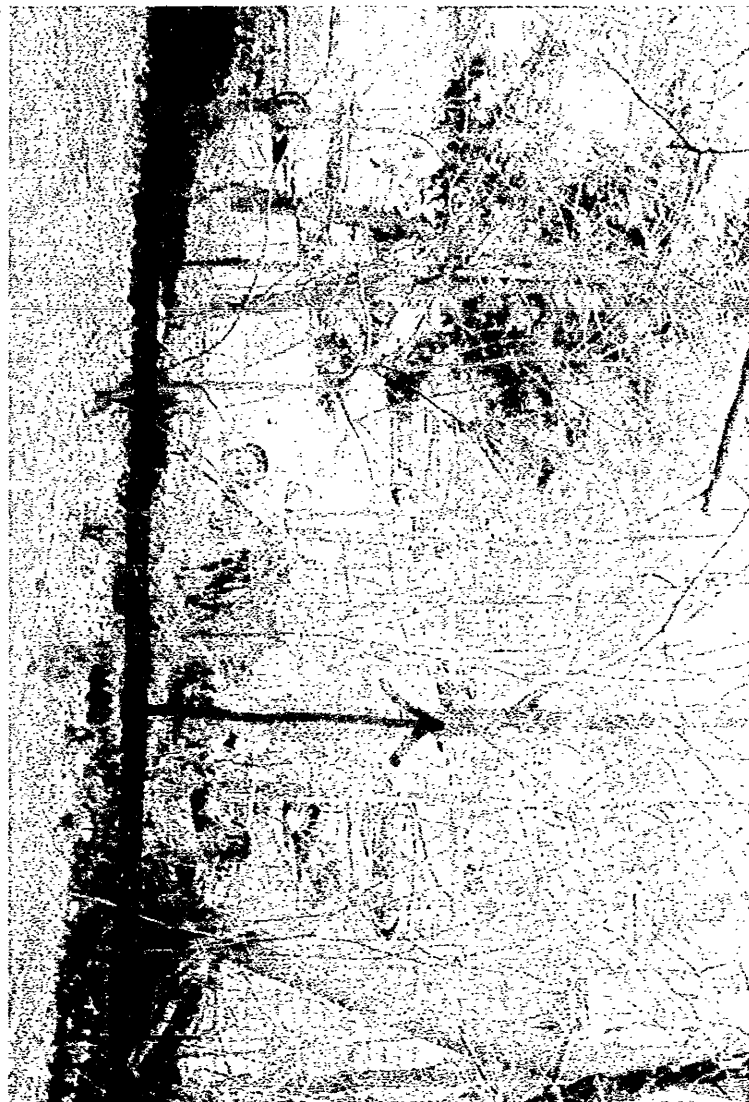
27.9

LANE

FARMSTEAD RD.

SECTION

27



21 ELISON DRIVE

CORBETT'S BACK YARD

Pls. publish immediately. Send bill to Applicant

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 29.

Request of Joseph Corbett

for a VARIANCE of the Zoning Local Law to Permit:

Construction of 8 ft. fence w/ less than the allowable
side & rear yards;

being a VARIANCE of Section 48-14 C (1)(d) & 48-12-Table of Use/Bulk
Regs. - Cols. F & G.
for property situated as follows:

21 Ellison Drive, New Windsor, NY 12553

known and designated as tax map Section 23, Blk. 1 Lot 34

PUBLIC HEARING will take place on the 24th day of June,
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

Date 5/29/02.

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

4.50

TO Frances Roth DR.
168 W. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
5/1/02		Boring Board Mtg	75 00	
		Misc. - 2		
		North Plank Development - 6		
		Colandrea - 3		
		Corbett - 10		
		Denhoff - 5		
		Salomottoff - 5		
		House of Apache - 5		
		Dreyer - 2		
		Smith - 4		
		Roberts - 3		
		Trapp - 3	184 50	
		Coplan - 2	259 50	

Lawrence W. Torley

CORBETT, JOSEPH

Mr. Joseph Corbett appeared before the board for this proposal.

MR. TORLEY: Request for 2 ft. height variance for 8 ft. fence at 21 Ellison Drive in R-4 zone.

MR. CORBETT: Mr. Chairman, here's a picture.

MR. TORLEY: Do you not have a fence existing now?

MR. CORBETT: No.

MR. KANE: You're putting this fence up for privacy and safety reasons?

MR. CORBETT: Yes.

MR. KANE: Doesn't obstruct any vision of traffic?

MR. CORBETT: No.

MR. MC DONALD: Not over any easements?

MR. CORBETT: No, absolutely not.

MR. TORLEY: Unfortunately, you can't share the mailings.

MR. KANE: I move we set up Mr. Corbett for a public hearing for his requested variance at 21 Ellison Drive.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#496-2002**

05/31/2002

#02-29
Corbett Sr., Joseph

**Received \$ 50.00 for Zoning Board Fees on 05/31/2002. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

Joseph Corbett, Sr.
Doretta Corbett

896

Date May 30.02

1-108/210

~~222~~ TOWN OF NEW WINDSOR \$300⁰⁰/₁₀₀

THREE HUNDRED

~~xx~~ Dollars  Security Features Included. Details on back.

Marine Midland Bank 

VALS GATE OFFICE
ROUTE 94 & TEMPLE HILL ROAD
VALS GATE, NEW YORK 12554

 HSUS
The Humane Society of the United States

no. 2BA#02-29

Robert A. Corbett

⑆00100⑆088⑆078780665⑆ 0896

© 1996 AM

AMERICAN

SPAY OR NEUTER YOUR PET

895

1-108210

Date MAY 30 08

50 OF NEW WINOSOR

\$ 50 ^{xx}/_{xx}

FIFTY

Marine Midland Bank

VALES GATE OFFICE
ROUTE 64 & TEMPLE HILL ROAD
VALES GATE, NEW YORK 12584

HSUS
The Humane Society of the United States

For 2BA #02-29

[Signature]

⑆02⑆001088⑆078780665⑆0895

ANIMALS

D HARLAND



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

May 22, 2002

Joseph Corbett
21 Ellison Drive
New Windsor, NY 12553

RE: 23-1-34

Mr. Corbett:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced properties.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/srr
Attachments

CC: Pat Corsetti, ZBA

53

23-1-23
James & Cathy Brannigan
8 Lush Lane
New Windsor, NY 12553

23-1-35
Michael & Nancy Bowman
19 Ellison Drive
New Windsor, NY 12553

23-1-44
Michael Itskovich
4 Sunrise Terrace
New Windsor, NY 12553

23-1-24
Peter & Deborah Weisenberg
26 Ellison Drive
New Windsor, NY 12553

23-1-36
Robert Kennedy
17 Ellison Drive
New Windsor, NY 12553

23-1-45
Arline Hekl
6 Sunrise Terrace
New Windsor, NY 12553

23-1-25
Vincent & Linda Di Giacomo
28 Ellison Drive
New Windsor, NY 12553

23-1-37
Chris Lauritano & Cheryl Ann Corbett
15 Ellison Drive
New Windsor, NY 12553

23-1-46
Paul Ruzzi & Susan Rogers
8 Sunrise Terrace
New Windsor, NY 12553

23-1-26
Lloyd & Marilyn St. John
PO Box 4062
New Windsor, NY 12553

23-1-38
Joseph & Barbara Dearborn
13 Ellison Drive
New Windsor, NY 12553

23-1-47
Charles & Gail O'Mara
10 Sunrise Terrace
New Windsor, NY 12553

23-1-27
John & Mary Meenagh
35 Ellison Drive
New Windsor, NY 12553

23-1-39
Edward & Janet Palumbo
11 Ellison Drive
New Windsor, NY 12553

23-1-48
Charles & Amparo Palacio
12 Sunrise Terrace
New Windsor, NY 12553

23-1-28
Brian & Regina Sloat
Salvatore & Eleanor DiCesare
33 Ellison Drive
New Windsor, NY 12553

23-1-40
Michael & Linda McHugh
9 Ellison Drive
New Windsor, NY 12553

23-1-49
Jeanne Brown
14 Sunrise Terrace
New Windsor, NY 12553

23-1-29
James & Dolores Mannix
31 Ellison Drive
New Windsor, NY 12553

23-1-41
Ronald Travaglione &
Virginia MacKay
19 Foxwood Drive
Newburgh, NY 12550

23-1-51
Donald Brown
175 Bruyn Tpke.
Wallkill, NY 12589

23-1-30
William & Dorothy Masten
29 Ellison Drive
New Windsor, NY 12553

23-1-42
Michael J. Clark Trust
5 Ellison Drive
New Windsor, NY 12553

23-2-1
Daniel & Diane Nanni
9 Lush Lane
New Windsor, NY 12553

23-1-31
William & Marion Noller
27 Ellison Drive
New Windsor, NY 12553

23-1-43.1
John McCormack
3 Ellison Drive
New Windsor, NY 12553

23-2-2
Virginia Treshman Quinn
7 Lush Lane
New Windsor, NY 12553

23-1-32
Peter Chomanczuk & Jennifer Moores
25 Ellison Drive
New Windsor, NY 12553

23-1-43.2
County of Orange
255-275 Main Street
Goshen, NY 10924

23-2-3
Robert & Virginia Irons
4 Ellison Drive
New Windsor, NY 12553

23-2-4
Frederick & Arlene Borath
6 Ellison Drive
New Windsor, NY 12553

X

27-2-7
Priscilla Mandoske
27 Jay Street
New Windsor, NY 12553

X

27-4-10
Daniele Vernon
21 Barclay Road
New Windsor, NY 12553

X

23-2-5
Joseph & Colleen Milano
8 Ellison Drive
New Windsor, NY 12553

X

27-2-8
Harriet Comfort
23 Jay Street
New Windsor, NY 12553

X

27-5-10
Michael & Michelle Taggart
19 Farmstead Road
New Windsor, NY 12553

X

23-2-6
Albert & Mary Angelone
14 Ellison Drive
New Windsor, NY 12553

X

27-2-9
Eugene & Virginia DeMarco
19 Jay Street
New Windsor, NY 12553

X

Section 84 Squire Village
Hypo Holdings Inc.
C/o Global Equities Realty Inc.
135 West 50th Street Suite 1700
New York, NY 10020

X

23-2-7
Theodore & Beverly Hughes
18 Ellison Drive
New Windsor, NY 12553

X

27-2-10.1
Ralph Landron Sr. &
Eva Bellber-Landron
50 Cross Street
New Windsor, NY 12553

X

23-2-8
John & Lorraine Kolb
20 Ellison Drive
New Windsor, NY 12553

X

27-2-10.2
Tina Marchie
48 Cross Street
New Windsor, NY 12553

X

27-2-2
Anthony & Vera Russe
14 Cedar Lane
New Windsor, NY 12553

X

27-2-11
Priscilla Mandoske
27 Jay Street
New Windsor, NY 12553

X

27-2-3.2
Richard Hansen
16 Cedar Lane
New Windsor, NY 12553

X

27-3-1
Frank Tramontano
26 Barclay Road
New Windsor, NY 12553

X

27-2-5.22
William & Carolyn Duckery
20 Cedar Lane
New Windsor, NY 12553

X

27-3-2
Edwin Montedeoca &
Nelida Roman Montedeoca
24 Barclay Road
New Windsor, NY 12553

X

27-2-6.1
Michael & Kelly Olivencia
23 Farmstead Road
New Windsor, NY 12553

X

27-3-3
Herbert & Verna Arnold
22 Barclay Road
New Windsor, NY 12553

X

27-2-6.2
Robert & Denise Morgan
21 Farmstead Road
New Windsor, NY 12553

X

27-3-4
Stephen Jr. & Roxana Sager
20 Barclay Road
New Windsor, NY 12553

X

**ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK**

In the Matter of the Application for Variance of

Joseph Corbett

02-29.

**AFFIDAVIT OF
SERVICE
BY MAIL**

STATE OF NEW YORK)) SS.:
COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 31st day of May, 2002, I compared the 53 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

02-29.
Date: 5/30/02.

I. Applicant Information:

- (a) JOSEPH & LORETTA CORBETT 21 ELLISON DR. 565 1764
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

☐ Use Variance
☒ Area Variance

☐ Sign Variance
☐ Interpretation

III. Property Information:

- (a) R-4 21 ELLISON DRIVE 23-1-34
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? R-4
- (c) Is pending sale or lease subject to ZBA approval of this Application? NO.
- (d) When was property purchased by present owner? _____
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO. If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? NO

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law,
Section _____, Table of _____ Regs., Col. _____.

(Describe proposal) _____

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

✓ V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law,
 Section 48-14, ~~Table of~~ Supp. Yard Regs., Col. .
CCB(d)

	Permitted	Proposed or Available	Variance Request
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ratio**			
Parking Area			

* Residential Districts only

** Non-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

1. ALL CARS FACE MY PROPERTY. ITS AS IF MY PROPERTY IS PART OF THE LOT OR PART OF SQUIRE DRIVE. AN 8FT. FENCE WOULD MORE THEN ADEQUATELY ALLOCATE MY LAND (AND) AND CONCENTRATE THE 875 SOLID AND STOP TRAFFIC, JUNKSTER, PEOPLE REPAIRING CARS DRINKING, ETC-ETC.

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

(b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? _____.

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

1. AN 8FT. FENCE COULD ONLY ENHANCE THE QUALITY OF LIFE TO MY NEIGHBORS ON EULSON DRIVE, IT WOULD STOP TRAFFIC FROM SQUIRE TO EULSON DR. GIVING MORE SAFETY TO MY NEIGHBORS ON EULSON DRIVE.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$20.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 5/30/02

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

(Applicant)

Sworn to before me this

____ day of _____, _____.

XI. ZBA Action:

(a) Public Hearing date: _____.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Joseph A. Corbett, Jr., Joseph A. Corbett, Sr.
and Loretta A. Corbett

TO

Joseph A. Corbett, Sr. and Loretta A. Corbett,
his Wife

SECTION 23 BLOCK 1 LOT 34

RECORD AND RETURN TO:
(Name and Address)

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

Joseph A. and Loretta A. Corbett, Sr.
21 Ellison Drive
New Windsor, New York 12553

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input type="checkbox"/> 4600 NEWBURGH (TN)
<input type="checkbox"/> 2800 DEERPARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)
<input type="checkbox"/> 3200 GREENVILLE (TN)	<input type="checkbox"/> 5401 FLORIDA (VLG)
<input type="checkbox"/> 3489 HAMPTONBURGH (TN)	<input type="checkbox"/> 5403 GREENWOOD LAKE (VLG)
<input type="checkbox"/> 3401 MAYBROOK (VLG)	<input type="checkbox"/> 5405 WARWICK (VLG)
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	
<input type="checkbox"/> 4089 MONROE (TN)	
<input type="checkbox"/> 4001 MONROE (VLG)	
<input type="checkbox"/> 4003 HARRIMAN (VLG)	
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	

CITIES

☐ 0900 MIDDLETOWN
☐ 1100 NEWBURGH
☐ 1300 PORT JERVIS
☐ 9999 HOLD

NO. PAGES 3 CROSS REF ☐

CERT. COPY ☐ ADD'L X-REF ☐

MAP # ☐ PGS. ☐

PAYMENT TYPE: CHECK ☐

CASH ☒

CHARGE ☐

NO FEE ☐

CONSIDERATION \$ 0

TAX EXEMPT ☐

MORTGAGE AMT \$ ☐

DATE ☐

MORTGAGE TAX TYPE:

☐ (A) COMMERCIAL/FULL 1%
☐ (B) 1 OR 2 FAMILY
☐ (C) UNDER \$10,000
☐ (E) EXEMPT
☐ (F) 3 TO 6 UNITS
☐ (I) NAT. PERSON/CR. UNION
☐ (J) NAT.PER-CR.UN/1 OR 2
☐ (K) CONDO

Donna L. Benson

DONNA L. BENSON
Orange County Clerk

RECEIVED FROM:

J. Corbett Sr.

LIBER 4951 PAGE 340

ORANGE COUNTY CLERKS OFFICE 268 MRL
RECORDED/FILED 01/04/1999 03:50:16 PM

FEES 44.00 EDUCATION FUND 5.00
SERIAL NUMBER: 004709
DEED UNTIL NO 50084 RE TAX .00

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 17 day of December, nineteen hundred and ninety eight **BETWEEN** Joseph A. Corbett, Jr., residing at 21 Ellison Drive, Town of New Windsor, orange County, State of New York, and Joseph A. Corbett, Sr. and Loretta A. Corbett, both residing at 125-08 18th Avenue, College Point, State of New York

party of the first part, and Joseph A. Corbett, Sr. and Loretta A. Corbett, his wife, both residing at 21 Ellison Drive, New Windsor, New York 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Town of New Windsor, County of Orange, State of New York, known and designated as Lot No. 5 in Block A on a certain map entitled "Plan of Subdivision for Union Terrace Homes, Inc., Town of New Windsor, Orange County, New York," dated December 19, 1955 and filed in the Orange County Clerk's Office on March 13, 1956 as Map #1655.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.


AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


JOSEPH A. CORBETT, JR.


JOSEPH A. CORBETT, SR.


LORETTA A. CORBETT

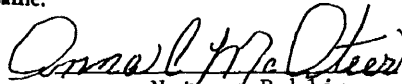
LIBR 4951PG 341

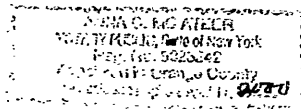
STATE OF NEW YORK, COUNTY OF ORANGE ss:

On the 28 day of December 19 98 , before me personally came

Joseph A. Corbett, Jr.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.


Notary Public



STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came
to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the
of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF NEW YORK ss:

On the 17 day of December 19 98 , before me personally came

Joseph A. Corbett, Sr. and Loretta A. Corbett

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.


Notary Public

CYNTHIA LEVENSON
Notary Public, State of New York
No. 31-4007416
Qualified in New York County
Term Expires 12-31-2000

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came
the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

Title No.

JOSEPH A. CORBETT, JR., JOSEPH A.
CORBETT, SR. and LORETTA A. CORBETT

TO

JOSEPH A. CORBETT, SR. and
LORETTA A. CORBETT

SECTION 23

BLOCK 1

LOT 34

COUNTY OR TOWN Orange, New Windsor

Recorded at Request of **COMMONWEALTH LAND
TITLE INSURANCE COMPANY**

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



COMMONWEALTH
LAND TITLE INSURANCE COMPANY
A Reliance Group Holdings Company

Joseph A. Corbett, Sr. & Loretta Corbett
21 Ellison Drive
New Windsor, New York 12553

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

LIBR 49516 342